

Amendments to the Drawings

As indicated by the enclosed Replacement Sheets of the drawings:

- Figure 1(a) has been amended to include the label --(PRIOR ART)--;
- Figure 1(b) has been amended to include the label --(PRIOR ART)--, and to omit the second occurrence of reference character 16;
- Figure 6 has been amended to replace "I-FC" with --FC Current--, to replace "Fuel Processor" with --Reformer--, and to include darker lines;
- Figure 7 has been amended to omit reference character 75;
- Figure 11 has been amended to remove the circle around reference character 44; and
- Figure 12 has been amended to omit reference characters MeOH and J0 to J7, and to include text which is at least 0.32 cm in height.

An Appendix including replacement sheets containing amended Figures 1(a), 1(b), 6, 7, 11 and 12 is attached following page 11 of this paper.

REMARKS

Claims 1-52 have been cancelled. Accordingly, the Examiner's objections to claims 1-45 are now moot.

New claims 53-68 presented herewith are pending. New claims 46-61 recite subject matter claimed in the parent application No. 09/785878 ("the '878 application"), now abandoned. In particular, new claim 53 recites a combination of the subject matter of originally filed claims 1 and 20 of the '878 application.

It is respectfully submitted that new claims 53-68 are allowable over the prior art, in light of the following comments.

Compliance with 35 U.S.C. §103

The Office Action mailed 6 November 2002 for the '878 application cited Abels (DE 4321768) in combination Harris et al. (US 2001/0052433) in relation to claim 20 of the '878 application.

Claim 20 of the '878 application recited "a first vibration dampener positioned within said housing for absorbing vibration when said vehicle is in operation". This feature is now recited in new claim 53. The Office Action mailed 6 November 2002 for the '878 application suggested that Abels discloses this feature in Figure 2 and the Abstract thereof. The Applicant submits that this is incorrect. The English translation of the Abstract of Abels reads, in part, as follows:

"An electrically operated fork lift has a diesel-powered generator (5, 6) charging up a small traction battery, the power unit being in a compartment open with a hinged lid (2) at the top. This unit and the battery are attached to a common baseplate (3) whose weight equals the difference between that of a full-size battery filling up the whole compartment and that of the actual components attached to it.

There is noise insulation surrounding these components."

There is nothing in Abels to suggest that the noise insulation disclosed therein is within a housing. The Office Action mailed 6 November 2002 for the '878 application implies that the noise insulation is referred to by reference character 8 in Figure 2 of Abels. However, the description of Abels refers to "Kanäle 8", which is understood to translate as "channels 8". Thus, it is not clear that Abels discloses any noise insulation within a housing. On the contrary, the Abstract of Abels suggests that the noise insulation is outside of the housing, since it is "surrounding" the generator, battery, baseplate and lid. Also, Abels relates to a diesel-powered generator which charges a battery. Thus, presumably the purpose of the noise insulation of Abels is to reduce the noise created by the diesel-powered generator, rather than absorb vibration.

Accordingly, it is submitted that Abels fails to teach or suggest "a first vibration dampener positioned within said housing for absorbing vibration when said vehicle is in operation", as recited in new claim 53.

Furthermore, since Abels relates to diesel-powered generators, there would be no motivation for a person skilled in the art to combine the teachings of Abels with the teachings of Harris et al., which relates to fuel cells.

The Applicant submits that new claim 53 patentably distinguishes the cited references for at least the foregoing reasons. Therefore, new claim 53 and new claims 54-68 which depend therefrom are submitted to be patentable over the cited references.

Amendments to the Specification, Abstract and Drawings

The Specification, Abstract and Drawings have been amended to correct the errors identified by the Examiner.

The Applicant submits that these amendments add no new subject matter.

Conclusion

The Applicant submits that this application is in condition for allowance. Reconsideration and allowance of the application is respectfully requested.

Respectfully submitted,

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